

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-5, and 22-24 are presently active in this case. The foregoing amendment amends Claim 1 and the Title, adds new Claims 22-24, and cancels Claims 6-21 without prejudice or disclaimer. Support for the amendment to Claim 1 can be found on page 5, line 21 – page 6, line 24, for example. Newly added Claim 22 corresponds to the features of Claims 1 and 3, newly added Claim 23 corresponds to the features of Claim 4, and newly added Claim 24 corresponds to the features of Claim 5. No new matter is added.

In the outstanding Office Action, the restriction requirement mailed on January 1, 2005 was made Final. The title was objected to as not descriptive. Claims 1 and 2 were rejected under 35 U.S.C. §102(b) as anticipated by Tilseth (U.S. Patent No. 3,753,407). Claims 3-5 were indicated as reciting allowable subject matter.

At the outset, Applicants note with appreciation the courtesy of a personal interview extended by Examiner Sameh Tawfik to Applicants' representatives. The personal interview was conducted on June 3, 2005. During the interview the presently submitted claim amendments were discussed as clarifying the claims over the applied art.

Regarding the objection to the title, an amended title including additional description is submitted herewith. Accordingly, Applicants respectfully request withdrawal of the objection to the title.

Regarding the rejection of Claims 1 and 2 under 35 U.S.C. §102(b) as anticipated by Tilseth, that rejection is respectfully traversed by the present response.

Amended Claim 1 recites, in part, "an article-fixing member which fixes the article on the pallet, wherein the article-fixing member is accommodating in an accommodating space

internal to the pallet such that the article-fixing member can be pulled out from the accommodating space.”

In contrast, Tilseth does not disclose an article-fixing member in, and which can be pulled out from, an accommodating space internal to a pallet. Rather, Tilseth describes a chain-type link (96) pivotally connected to web (58) of anchor bolt (56) at a turn buckle end of pallet (10). The anchor bolt (56) is connected to a bolt (70). The bolt (70) is connected to turn buckle (62) in such a manner that turn buckle (62) can pivot around anchor bolt (56). Applicants respectfully submit that none of the components discussed above can be reasonably considered to be in an *accommodating space internal to a pallet*. Nor can any of the above-discussed components be reasonably considered as a member that can be *pulled out* from the internal accommodating space. Instead, anchor bolt (56) is attached to the pallet at connection plate (52) as shown in Figure 2, for example. A belt device (20) is connected to anchor bolt (56) via strap (59). The belt device (20) includes a turn buckle (62) that pivotally connects strap (59) to the anchor bolt (56) via chain-type link (96), as shown in Figures 9 and 10. Nowhere in Tilseth are these components described as “pulled out” from an accommodating space internal to the pallet.

Applicants respectfully submit that the mere fact that the turn buckle (62) and chain-type link (96) are “pivotally connecting” to anchor bolt (56) does not mean that either component is capable of being “pulled out” from the pallet. In other words, pivoting toward or away from the surface of the pallet is not the same as pulling out from an accommodating space internal to the pallet. Turn buckle (62) may pivot “away from the palette” as stated on page 3, lines 6-7 of the outstanding Office Action, but this action does not correlate to “pulling out” from an “accommodating space internal to the pallet” because turn buckle (62) is never in an internal space in the pallet. Accordingly, Tilseth fails to disclose all of the

features recited in amended Claim 1, and Applicants respectfully request withdrawal of the rejection of amended Claim 1.


As Claims 2-5 depend directly or indirectly from Claim 1, Applicants respectfully submit that Claims 2-5 patentably distinguish over Tilseth for at least the same reasons as amended Claim 1. Accordingly, Applicants respectfully request withdrawal of the rejection of Claims 2-5.

Newly added Claim 22 corresponds to original Claim 3 rewritten in independent form, and newly added Claims 23 and 24 correspond to original Claims 4 and 5. As Claims 3-5 were indicated as reciting allowable subject matter, Applicants respectfully submit that newly added Claims 22-24 are in condition for allowance.

Consequently, in light of the above discussion and in view of the present amendments, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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